

# MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

|              |                 |
|--------------|-----------------|
| G.O. No. 428 | Press           |
| 279-280      | <del>Mis.</del> |
| Dated        | 30 - 3 - 1864   |

34

Not to be folded or roughly handled

*My*

*Proceedings of the Madras Government, Judicial Department,  
30th March 1864.*

No. 279. Read the following letter from J. I. MINCHIN, Esq., Magistrate of Kurnool; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated on Circuit, Bhoopatypully, 8th March 1864, No. 6.

I have the honor to request that the Government will sanction the following rules for giving effect to the provisions of Madras Act III of 1863 in the Kurnool District:—

- 1st. That the Deputy Magistrate, employed on special duty in Kurnool, be allowed to employ 20 Peons for the service of Processes.
  - 2nd. That the Magistrate, or Deputy Magistrate employed on special duty, be empowered to discharge any of these Peons, and reduce their numbers at discretion.
  - 3rd. That the Deputy Magistrate employed on special duty shall pay each Peon a fixed monthly salary not exceeding Rupees seven, and of the collections made under the Act.
2. Until the receipt of the Order of Government, dated 26th November 1863, No. 1833, I had overlooked the fact that any orders of Government were required on this subject; and the rules now suggested have in fact been in force in this District, since the Act was introduced last year.

3. During that period upwards of 900 cases of Breach of Contract were brought before the Deputy Collector, employed on special duty in this District, and the sum of Rupees 940 collected as fees for Processes by that officer.

4. Out of these collections Peons have been paid at a fixed salary of Rupees six monthly, which is the lowest rate at which such services can be procured in Kurnool. A balance of Rupees 217, after payment of the Peons, has been carried to the credit of Government under the head of Process Service Fund.

5. It is almost solely in Breach of Contract cases, connected with the Irrigation Company, and their Contractors that the Madras Act III of 1863 is brought into force in this District; while almost the whole of these cases come before the Deputy Collector, employed on special duty with reference to the Company. It is this officer therefore who alone requires to employ Peons under the Act, and who collects fees to any appreciable amount by the issue of these Processes.

6. I have recommended therefore that to this officer, either alone, or jointly with the Magistrate, the authority conveyed by the rules of Government, should be granted. I consider that this officer should be responsible for not employing more Peons than can be paid for out of the collections, the system hitherto in force, as I do not think that Government can be called on to incur any expense on this measure.

No. 280. ORDER THEREON, 30th March 1864, No. 428.

The following will be published in the *Fort Saint George Gazette*:—

**NOTIFICATION.**

The Governor in Council has sanctioned the extension to the Kurnool District of Rules II.

\* To make better provision for the service of Process under Act XIII of 1859, or an Act for the punishment of Breaches of Contract.

III, IV and V of the Rules published under date the 26th November last, for giving effect to the provisions of Madras Act III of 1863,\* in the Wynad Taluq of the District of Malabar.

2. The Magistrate of Kurnool is authorized to appoint 20 Peons to be employed under the Deputy Collector on special duty in Kurnool, for the service of Process in Breach of Contract cases, and to delegate to this officer all or any of the powers vested in the Magistrate by the Notification,

(True Extract.)

Chief Secretary.

To the Magistrate of Kurnool.

„ Civil Paymaster.

„ Accountant General.

Exd. J. Tulloch.

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611-6

[A Kurnool.]

Judicial.

Proceedings of the Madras Govt.  
Read letter from the Magistrate  
of Kurnool — In two 8<sup>th</sup> Mar. 64 N<sup>o</sup> 6.

Order — 30<sup>th</sup> March 1864. 11<sup>th</sup> 428

The following will be  
published in the Govt. G.  
Gazette —

### Notification.

The Governor in Council has sanctioned  
the extension to the Kurnool district of  
Rules II. III. IV & V of the Rules published  
under date the 26<sup>th</sup> Novemr. last, for  
giving effect to the provisions of Ma-  
dras Act III - 63<sup>\*</sup> in the Wynad taluk  
of the district  
of Malabar.

\* To make better provision for  
the service of Process under Act  
XIII - 59, or an Act for the  
punishment of Breaches of  
Contracts.

2. The Magistrate of Ma-  
labar is authorised to  
appoint twenty persons to be  
employed under the Deput-  
y Collector on special duty  
in Kurnool for the service of  
Process in Breach of Con-  
tract cases, & to delegate  
to this officer all or any of  
the powers vested in the Ma-  
gistrate by the Notification.

The Magistrate of Kurnool,  
Civil Magistrate.  
Dech. Genl.  
T. L. A. M. 30/4/64

despatched by

*Letter to the President*

15.11.13

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*Admiral* 1864. Department

PROCEEDINGS OF GOVERNMENT

No. 428

Dated 20 June 1864

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*worked*  
30 March 1864